

Panaji, 9th January, 1986 (Pausa 19, 1907)

SERIES I No. 41

OFFICIAL



GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN
AND DIU

Department of Personnel and Administrative Reforms

Notification

1/12/84-PER

In exercise of the powers conferred by the proviso to Article 309 of the Constitution, read with the Government of India, Ministry of External Affairs Notification No. F.7(11)/62-Goa dated 25th July, 1963 and in supersession of the existing recruitment rules for the posts, the Lieutenant Governor of Goa, Daman and Diu hereby makes the following rules relating to recruitment to the Group 'C' Non-Gazetted, Non-Ministerial posts in the Office of the Conservator of Forests, Government of Goa, Daman and Diu, namely: —

1. Short title, application and commencement. —

(1) These rules may be called the Government of Goa, Daman and Diu, Office of the Conservator of Forests, Group 'C' Non-Gazetted, Non-Ministerial Posts, Recruitment Rules, 1985.

(2) *Application:* These rules shall apply to the posts specified in Column 1 of the Schedule to these rules (hereinafter called as the "said Schedule").

(3) They shall come into force from the date of publication in the Official Gazette.

2. Number, classification and scales of pay. — The number of posts, classification of the said posts and the scales of pay attached thereto shall be as specified in columns 2 to 4 of the said Schedule:

Provided that the Government may vary the number of posts in Column 2 of the said Schedule from time to time subject to exigencies of work.

3. Method of recruitment, age limit and other qualifications. — The method of recruitment to the said posts, age limit, qualifications and other matters connected therewith shall be as specified in Columns 5 to 13 of the said Schedule.

4. Disqualification. — No person who has entered into or contracted a marriage with a person having a spouse living or who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the service:

Provided that the Government may if satisfied that such marriage is permissible under the personal Law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

5. Power to relax. — Where the Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing relax any of the provisions of these rules with respect to any class or category of persons.

6. Saving. — Nothing in these rules shall affect reservation, relaxation of age limit and other concessions required to be provided for Scheduled Castes, Scheduled Tribes and other special categories of persons in accordance with the orders issued by the Central Government from time to time in that regard.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

N. P. Gaunekar, Under Secretary (Personnel).

Panaji, 4th December, 1985.

SCHEDULE

Name of the post	No. of posts	Classification	Scale of pay	Whether selection post or non-selection post	Age limit for direct recruits	Educational and other qualifications required for direct recruits	Whether age & Educational Qualifications prescribed for the direct recruit will apply in the case of promotees	Period of probation if any	Method of recruitment whether by direct recruitment or by promotion or by deputation/transfer, and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/deputation/transfer, grades from which promotion/deputation/transfer is to be made	If a D. P. C. exists, what is its composition	Circumstances in which Union Public Service Commission is to be consulted in making recruitment
1	2	3	4	5	6	7	8	9	10	11	12	13
1. Range Forest Officer	37 (1985) Subject to variation dependent on work-load.	Rs. 425-15-500-EB-15-560-20-700	Group 'C' Non-Ministerial, Non-Gazetted.	Selection	18-24 years (Relaxable for Govt. servants).	<p>Essential:</p> <p>i) Std. XII with the subjects Mathematics, Physics, Chemistry, Botany, Zoology.</p> <p>ii) Good physique with sound hearing and fitness for rough outdoor work. Minimum height 163 cms. and chest 79 cms. with minimum expansion of at least 5 cms.</p> <p>iii) Candidate must pass a physical test consisting of a walk of 25 kms. to be completed in 4 hours.</p> <p>Note: Selected candidates will be sent for training in the Forest Training College/Institute for Diploma of Ranger immediately after selection. Failure in the aforesaid training will debar them to claim retention in service as Range Forest Officer.</p> <p>Desirable: Knowledge of Konkani and/or Marathi/Gujarathi.</p>	Age: No. Qls: Yes	Two years	50% by promotion failing which by direct recruitment and 50% by direct recruitment.	<p>Promotion: Dy. Range Forest Officer with 5 years of service in the grade failing which with 8 years in the grade of Dy. Range Forest Officer and Round Forester combined together, failing both with 8 years in the grade of Round Forester.</p>	Group 'C' D.P.C.	N. A.
2. Dy. Range Forest Officer	10 (1985) Subject to variation dependent on work-load.	— do —	Rs. 330-10-380-EB-12-500-EB-15-560	— do —	N. A.	N. A.	N. A.	— do —	By promotion.	<p>Promotion: Round Foresters with 3 years regular service in the grade.</p>	— do —	— do —

Law Department
Legal Affairs Branch

Notification

LD/8/3/85-L.A.B.

The Employees' State Insurance (Amendment) Act, 1984 (No. 45 of 1984) which has been passed by Parliament and assented to by the President of India on 6th August, 1984 and published in the Gazette of India, Extraordinary, Part II, Section 1 dated 7-8-1984 is hereby republished for the general information of the public.

B. S. Subbanna, Under Secretary (Drafting).

Panaji, 10th May, 1985.

The Employees' State Insurance (Amendment) Act, 1984

AN

ACT

further to amend the Employees' State Insurance Act, 1948.

Be it enacted by Parliament in the Thirty-fifth Year of the Republic of India as follows:—

1. Short title and commencement. — (1) This Act may be called the Employees' State Insurance (Amendment) Act, 1984.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint, and different dates may be appointed for different provisions of this Act and for different States or for different parts thereof.

2. Amendment of section 2. — In the Employees' State Insurance Act, 1948 ^{34 of 1948.} (hereinafter referred to as the principal Act), in section 2, —

(a) in clause (2), —

(i) for the words "being not less than twenty-five but not exceeding twenty-seven consecutive weeks or", the words "being not exceeding" shall be substituted;

(ii) in the proviso, the words "or shorter" shall be omitted;

(b) in clause (5), —

(i) for the words "being not less than twenty-five but not exceeding twenty-seven consecutive weeks or", the words "being not exceeding" shall be substituted;

(ii) in the proviso, the words "or shorter" shall be omitted;

(c) in clause (9), in sub-clause (b), for the words "one thousand rupees" at both the places wherever they occur, the words "one thousand and six hundred rupees" shall be substituted;

(d) for clause (23), the following clause shall be substituted, namely: —

'(23) "wage period" in relation to an employee means the period in respect of which wages are ordinarily payable to him whether in terms of the contract of employment, express or implied or otherwise;'

3. Amendment of section 17. — In section 17 of the principal Act, —

(a) in sub-section (1), for the words "one thousand and two hundred rupees", the words "two thousand and two hundred fifty rupees" shall be substituted;

(b) in sub-sections (3) and (4), for the words and figures "Class I or Class II", the words and letters "Group A and Group B" shall be substituted.

4. Amendment of section 39. — In section 39 of the principal Act, —

(a) for sub-section (3), the following sub-section shall be substituted, namely: —

"(3) The wage period in relation to an employee shall be the unit in respect of which all contributions shall be payable under this Act.";

(b) in sub-section (4), for the word "week" wherever it occurs, the words "wage period" shall be substituted.

5. Amendment of section 42. — In section 42 of the principal Act, —

(a) in sub-section (1), for the words "are below one rupee and fifty paise", the words "during a wage period are below six rupees" shall be substituted;

(b) in sub-section (2), for the word "week", the words "wage period" shall be substituted;

(c) sub-section (3) shall be omitted.

6. Substitution of new section for section 47. — For section 47 of the principal Act, the following section shall be substituted, namely: —

"47. When person eligible for sickness benefit. — A person shall be qualified to claim sickness benefit for sickness occurring during any benefit period if the contributions in respect of him were payable for not less than half the number of days of the corresponding contribution period."

7. Amendment of section 50. — In section 50 of the principal Act, for sub-section (1) and the proviso thereto, the following sub-section shall be substituted, namely: —

"(1) An insured woman shall be qualified to claim maternity benefit for a confinement occurring or expected to occur in a benefit period, if the contributions in respect of her were payable for not less than half the number of days of corresponding contribution period."

8. Amendment of section 56. — In section 56 of the principal Act, in sub-section (3), for the word "week", the word "period" shall be substituted.

9. Amendment of section 78. — In section 78 of the principal Act, in sub-section (1), for the words and figures "section 195 and Chapter XXXV of the Code of Criminal Procedure, 1898", the words and figures "section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973" shall be substituted.

5 of 1898.

2 of 1974.

10. Amendment of section 95. — In section 95 of the principal Act, after sub-section (2), the following sub-section shall be inserted, namely: —

"(2A) The power to make rules conferred by this section shall include the power to give retrospective effect, from a date not earlier than the date of commencement of this Act, to the rules or any of them but no retrospective effect shall be given to any rule so as to prejudicially affect the interest of any person other than the Corporation to whom such rule may be applicable."

11. Amendment of section 96. — In section 96 of the principal Act, after sub-section (2), the following sub-section shall be inserted, namely: —

"(3) Every rule made under this section shall be laid as soon as may be after it is made, before each House of the State Legislature where it consists of two Houses, or, where such Legislature consists of one House, before that House."

12. Amendment of section 97. — In section 97 of the principal Act, —

(a) in sub-section (1), after the words "The Corporation may," the words "with the prior approval of the Central Government and" shall be inserted.

(b) after sub-section (3), the following sub-section shall be inserted, namely: —

"(4) Every regulation shall, as soon as may be, after it is made by the Corporation, be forwarded to the Central Government and that Government shall cause a copy of the same to be laid before each House of Parliament, while it is in session for a total period of thirty days, which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the regulation or both Houses agree that the regulation should not be made, the regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that regulation."

13. Amendment of the First Schedule. — In the First Schedule to the principal Act, —

(a) for paragraph 1, the following paragraph shall be substituted, namely: —

"1. The amount of contribution for a wage period shall be, in respect of —

(a) employer's contribution, a sum (rounded to the next higher multiple of five paise)

equal to five per cent. of the wages payable to an employee;

(b) employee's contribution, a sum (rounded to next higher multiple of five paise) equal to two and one-fourth per cent. of the wages payable to an employee."

(b) in paragraph 2, —

(i) in the opening portion, after the words "daily wages", the words "during a wage period for the purposes of section 42 and sub-paragraph (b) of paragraph 6 of this Schedule" shall be inserted;

(ii) in sub-paragraph (b), the word "first" shall be omitted;

(iii) *Explanation II* shall be omitted;

(c) after paragraph 2, the following paragraph shall be inserted, namely: —

"2A. The average daily wages during a contribution period in respect of an employee for the purposes of paragraphs 4, 5 and sub-paragraph (a) of paragraph 6 of this Schedule shall be the sum equal to one hundred and fifteen per cent. of the aggregate amount of wages payable to him during that period divided by the number of days (including paid holidays and leave days) for which such wages were payable."

(d) for paragraph 3 and the Table thereunder, the following paragraph and the Table shall be substituted, namely: —

"3. Daily rate of benefit (hereinafter referred to as the "standard benefit rate") in respect of group of employees specified in the first column of the Table below shall be the amount respectively specified in the corresponding entry in the second column thereof.

TABLE

Group of employees whose average daily wages are		Corresponding daily standard benefit rate
1		2
		Rs. P.
1. Below Rs. 6 ...	...	2.50
2. Rs. 6 and above but below Rs. 8 ...	...	3.50
3. Rs. 8 and above but below Rs. 12 ...	...	5.00
4. Rs. 12 and above but below Rs. 16 ...	...	7.00
5. Rs. 16 and above but below Rs. 24 ...	...	10.00
6. Rs. 24 and above but below Rs. 36 ...	...	15.00
7. Rs. 36 and above ...	...	20.00.

14. Substitution of the Third Schedule. — For the Third Schedule to the principal Act, the following Schedule shall be substituted, namely: —

"THE THIRD SCHEDULE
(See section 52A)

List of occupational diseases

Sl. No.	Occupational disease	Employment
1	2	3

PART A

1. Infectious and parasitic diseases contracted in an occupation where there is a particular risk of contamination. (a) All work involving exposure to health or laboratory work;

1	2	3
		(b) All work involving exposure to veterinary work;
		(c) Work relating to handling animals, animal carcasses, part of such carcasses, or merchandise which may have been contaminated by animals or animal carcasses;
		(d) Other work carrying a particular risk of contamination.
2.	Diseases caused by work in compressed air.	All work involving exposure to the risk concerned.
3.	Diseases caused by lead or its toxic compounds.	All work involving exposure to the risk concerned.
4.	Poisoning by nitrous fumes.	All work involving exposure to the risk concerned.
5.	Poisoning by organophosphorus compounds.	All work involving exposure to the risk concerned.

PART B

1.	Diseases caused by phosphorus or its toxic compounds.	All work involving exposure to the risk concerned.
2.	Diseases caused by mercury or its toxic compounds.	All work involving exposure to the risk concerned.
3.	Diseases caused by benzene or its toxic homologues.	All work involving exposure to the risk concerned.
4.	Diseases caused by nitro and amido toxic derivatives of benzene or its homologues.	All work involving exposure to the risk concerned.
5.	Diseases caused by chromium or its toxic compounds.	All work involving exposure to the risk concerned.
6.	Diseases caused by arsenic or its toxic compounds.	All work involving exposure to the risk concerned.
7.	Diseases caused by radioactive substances and ionising radiations.	All work involving exposure to the action of radioactive substances or ionising radiations.
8.	Primary epithelomatous cancer of the skin caused by tar, pitch, bitumen, mineral oil, anthracene, or the compounds, products or residues of these substances.	All work involving exposure to the risk concerned.
9.	Diseases caused by the toxic halogen derivatives of hydrocarbons (of the aliphatic and aromatic series).	All work involving exposure to the risk concerned.
10.	Diseases caused by the carbon disulphide.	All work involving exposure to the risk concerned.
11.	Occupational cataract due to infra-red radiations.	All work involving exposure to the risk concerned.
12.	Diseases caused by manganese or its toxic compounds.	All work involving exposure to the risk concerned.

1	2	3
13.	Skin diseases caused by physical, chemical or biological agents not included in other items.	All work involving exposure to the risk concerned.
14.	Hearing impairment caused by noise.	All work involving exposure to the risk concerned.
15.	Poisoning by dinitrophenol or a homologue or by substituted dinitrophenol or by the salts of such substances.	All work involving exposure to the risk concerned.
16.	Diseases caused by beryllium or its toxic compounds.	All work involving exposure to the risk concerned.
17.	Diseases caused by cadmium or its toxic compounds.	All work involving exposure to the risk concerned.
18.	Occupational asthma caused by recognised sensitising agents inherent to the work process.	All work involving exposure to the risk concerned.
19.	Diseases caused by fluorine or its toxic compounds.	All work involving exposure to the risk concerned.
20.	Diseases caused by nitroglycerine or other nitroacid esters.	All work involving exposure to the risk concerned.
21.	Diseases caused by alcohols and ketones.	All work involving exposure to the risk concerned.
22.	Diseases caused by asphyxiants: carbon monoxide, and its toxic derivatives, hydrogen sulfide.	All work involving exposure to the risk concerned.
23.	Lung cancer and mesotheliomas caused by asbestos.	All work involving exposure to the risk concerned.
24.	Primary neoplasm of the epithelial lining of the urinary bladder or the kidney or the ureter.	All work involving exposure to the risk concerned.

PART C

1.	Pneumoconioses caused by so-lerogenic mineral dust (silicosis, anthracosilicosis asbestosis) and silico-tuberculosis provided that silicosis is an essential factor in causing the resultant incapacity or death.	All work involving exposure to the risk concerned.
2.	Bagassosis.	All work involving exposure to the risk concerned.
3.	Bronchopulmonary diseases caused by cotton, flax hemp and sisal dust (Byssinosis).	All work involving exposure to the risk concerned.
4.	Extrinsic allergic alveolitis caused by the inhalation of organic dusts.	All work involving exposure to the risk concerned.
5.	Bronchopulmonary diseases caused by hard metals.	All work involving exposure to the risk concerned."

15. Validation. — The Employees' State Insurance Corporation (General Provident Fund) Rules, 1973 shall be and shall be deemed always to have been as valid and effective as if the provisions of section 95 of the principal Act, as amended by this Act, were in force at the time when those rules were made.

Notification

L.D/8/3/85 L.A.B.

The Terrorist and Disruptive Activities (Prevention) Amendment Act, 1985 (Act No. 46 of 1985) which was passed by Parliament and assented to by the President of India on the 29th August, 1985 and published in the Gazette of India, Extraordinary, Part II, Section 1 dated 29-8-1985, is hereby republished for the general information of the public.

B. S. Subbanna, Under Secretary to the Government of Goa, Daman and Diu.

Panaji, 24th December, 1985.

The Terrorist and Disruptive Activities (Prevention)
Amendment Act, 1985

AN
ACT

to amend the Terrorist and Disruptive Activities
(Prevention) Act, 1985.

Be it enacted by Parliament in the Thirty-sixth
Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Terrorist and Disruptive Activities (Prevention) Amendment Act, 1985.

(2) It shall be deemed to have come into force on the 5th day of June, 1985.

2. *Application to Jammu and Kashmir and amendment of Act 31 of 1985.*— (1) The Terrorist and Disruptive Activities (Prevention) Act, 1985 (hereinafter referred to as the principal Act), to the extent it is not applicable immediately before the commencement of this Act to the State of Jammu and Kashmir, is hereby applied to that State.

(2) In sub-section (2) of section 1 of the principal Act, the proviso shall be omitted.

3. *Repeal and saving.*— (1) The Terrorist and Disruptive Activities (Prevention) Amendment Ordinance, 1985, is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.